

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SOUTHERN WINE & SPIRITS OF)
AMERICA, Inc., a Florida)
corporation, SOUTHERN WINE &)
SPIRITS OF NEBRASKA, Inc., a)
Florida Corporation, HARVEY R.)
CHAPLIN, WAYNE E. CHAPLIN,)
and STEVEN R. BECKER,)

Plaintiffs,)

V.)

DAVID HEINEMAN, in his official)
capacity as Governor of the State of)
Nebraska, JON BRUNING, in his)
official capacity as Attorney General)
of the State of Nebraska,)
NEBRASKA LIQUOR CONTROL)
COMMISSION, ROBERT)
LOGSDON, PAT THOMAS and)
RHONDA FLOWER, in their)
official capacities as members of the)
NEBRASKA LIQUOR CONTROL)
COMMISSION,)

Defendants.)

4:07CV3244

MEMORANDUM
AND ORDER

After consultation with counsel, and with their agreement,

IT IS ORDERED that:

1. The temporary restraining order entered in this case shall remain in force until ordered otherwise.

2. Pursuant to Federal Rule of Civil Procedure 65(a)(2), the trial on the merits and the application for a preliminary injunction shall be consolidated.

3. Magistrate Judge Piester is requested to progress this case in the normal fashion. My chambers shall provide Judge Piester with a copy of this memorandum and order.

October 22, 2007.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge